

Remarks

Reconsideration of this application is requested.

The Examiner has objected to line 5 of paragraph 63 of the disclosure. Applicant has amended the disclosure to overcome this objection.

Claims 38 and 42 have been rejected by the examiner under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 38 and 42 have been amended to remove any indefiniteness.

Claims 1, 2, 9, 10-13, 26, 30, 31 and 42 have been rejected by the examiner under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2001/0039535 to Tsiounis et al.

Tsiounis discloses the following in paragraph 0036:

"In **FIG. 1**, a customer is operating a web browser on customer computer **100**. The browser uses HTML information transmitted by merchant server **110** to display the merchant's web pages on customer computer **100**. A customer viewing a merchant's web site that wishes to purchase an advertised good or service (referred to hereinafter as "item") indicates a selected item and indicates that the customer wishes to pay for the item using a trusted third party. The customer may indicate desire to pay using a trusted third party by, for example, clicking on an icon or other section of the

displayed web page carrying identification of the trusted third party. The web browser on customer computer **100** interprets the customer's indication and transmits the selections to merchant server **110** as order information (step **10**). Merchant server **110** receives the order information and transmits back to customer **100** transaction information, such as a payment price, currency code, merchant identification number ("merchant ID"), transaction identification number ("transaction ID"), transaction date and time, and description of goods sold. Merchant and transaction ID "numbers" may also include letters and symbols. In some embodiments consistent with the present invention, merchant server **110** digitally signs the merchant ID and/or the transaction ID so that either the customer or TTP **120** can authenticate the identify (sic) of the merchant."

Tsiounis discloses the following in paragraph 0044

"In methods and systems consistent with the present invention, the customer's confidential payment information and transaction information is used to generate a Payment Authorization Number (or "PAN"). As described herein, the PAN may be generated by a TTP-signed applet, object, or browser plug-in operating on customer computer **110**, or software operating on TTP **120**. The software that generates the PAN (whether resident on customer computer **110** or TTP **120**) will be referred to as the "PAN calculator."

Tsiounis discloses the following in paragraph 0048

"The PAN calculator generates a PAN (step **260**). In one embodiment of the present invention, the PAN is a digital signature of the customer's

confidential payment information. The PAN may be generated, for example, using any known means for generating a digital signature. In one embodiment of the present invention, the PAN is generated by computing a Hash-based Message Authentication Code (such as "HMAC-SHA-1") of the confidential payment information. Methods for generating HMACs are well known by those skilled in the art and are described in further detail, for example, in "Keying Hash Functions for Message Authentication," Advances in Cryptology, Crypto 96 Proceedings, Lecture Notes in Computer Science, Vol., 1109 (Springer-Verlag, N. Koblitz, ed.), 1996, by Mihir Bellare et al."

Tsiounis uses computational resources and confidential payment information for authentication purposes.

Applicant uses relationship information between the second and trusted third party to give the second party perceptible assurance that they are communicating with the trusted third party. For instance, Tsiounis does not disclose or anticipate step b of claim 1, and those claims dependent thereon as amended namely, said trusted third party system communicating with said second party in a manner which provides said second party with a artificial personality of said trusted third party so that said second party will have a perceptible assurance that said second party will recognize the artificial personality of said trusted third party when said second party is in communication with said trusted third party system; and

Tsiounis does not disclose or anticipate step b of claims 26 and 42 as amended and those claims dependent thereon as amended namely, communicate with said second party in a manner which provides said second party in a manner which provides said second party with a artificial personality of said trusted third party so that said second party will

have a perceptible assurance that said second party will recognize the artificial personality of said trusted third party when said second party is in communication with said trusted third party system; and

Claims 3-6 have been rejected by the examiner under 35 U.S.C. § 103(a) as being unpatentable over Tsiounis et al.

Tsiounis does not disclose or anticipate step b of claim 1 as amended.

Claims 7, 8, 28 and 29 have been rejected by the examiner under 35 U.S.C. § 103(a) as being unpatentable over Tsiounis in view of U.S. Patent No. 6,363,357 to Rosenberg.

Rosenberg discloses the following in column 4 lines 22-54.

"Payment broker computer **132** includes a central processing unit **154**, RAM **156**, ROM **158**, a merchant database **160**, a merchant account database **162**, decryption software **164**, encryption software **166**, a buyer database **168**, buyer vaults **170**, a broker merchant web site **172** and a broker buyer web site **174**. When a merchant **106** wants to register with the payment broker's **118** service in order to sell digital content via the online payment system **100**, the merchant **106** connects to the broker's merchant web site **172** via the public network **120** utilizing the browser **144** (step **300**). The merchant **106** indicates the desire to register by clicking on an icon at the broker's merchant web site **172** (step **300**). The payment broker computer **132** then requests information from the merchant **106** such as name (of individual or company), mailing and e-mail addresses, work/fax numbers, merchant bank and appropriate account numbers for receiving

payments, a merchant password, and the merchant interbank account transfer number (step **302**). Upon receipt of the aforementioned information by the broker computer **132**, via a secure socket layer (SSL) connection, it is stored in the merchant database **160** (step **304**). The broker computer **132** then returns to the merchant computer **124** encoder utility software **150** and a merchant registration file that is stored in merchant registration file store **152** (step **306**). The merchant registration file includes a merchant identification (ID) and a merchant secret key " K_m " which are also stored in the merchant database **160**. The broker computer **132** establishes a merchant account in the merchant account database **162** which is correlated to all of the merchant specific information in merchant database **160**, including the merchant registration file information (step **308**). At this point in time, the merchant **106** is fully registered with the payment broker computer **132** (step **310**)."

In Rosenberg's disclosed invention the merchant is disclosing publicly available information i.e. name, mailing and e-mail address, fax number, etc.

Whereas in applicant's claimed invention applicant is utilizing artificial personality information. Applicant stated in lines 7-17 of paragraph 0108 of application specification the following:

"Such advanced techniques may allow artificial personalities to do things such as make inside jokes, ask about things on the user's to do list, or ask things like: "How is that car you bought working out?" The user and the artificial personality can have a shared vocabulary so that ambiguous phrases such as "my account" or "Jeff" will be recognized. Advanced artificial personalities can also have traits such as a particular sense of

humor, or style; make pseudo-factual statements about hobbies, its schedule, etc.; may gradually change over time; and generally may more closely emulate an actual person with a complex, detailed life and so provide an increased level of assurance to users. In other embodiments of the subject invention advanced artificial personalities can apply similar considerations to users to assure that users are who they represent themselves to be.”

Thus, the artificial personality claimed by applicant is not disclosed or anticipated by Tsiounis and/or Rosenberg.

Claims 14, 15 and 32 have been rejected by the examiner under 35 U.S.C. § 103(a) as being unpatentable over Tsiounis and further in view of Rosenberg.

The artificial personality claimed by applicant is not disclosed or anticipated by Tsiounis and/or Rosenberg.

Claims 16-25, 33-37 have been rejected by the examiner under 35 U.S.C. § 103(a) as being unpatentable over Tsiounis and further in view of Rosenberg.

The artificial personality claimed by applicant is not disclosed or anticipated by Tsiounis and/or Rosenberg.

Claims 38-40 have been rejected by the examiner under 35 U.S.C. § 103(a) as being unpatentable over Tsiounis.

The artificial personality claimed by applicant is not disclosed or anticipated by Tsiounis.

Appln. No. 10/737,385
Amdt. Dated June 30, 2005
Reply to Office Action Dated June 30, 2005

New claims 45-47 add limitations to their base claim i.e. using the artificial personality of the trusted third party to elicit responses from the second party. The foregoing is not disclosed or anticipated by the cited patents.

In view of the above claims 1-42 as amended and new claims 45-47 are patentable. If the examiner has any questions would the examiner please call the undersigned at the telephone number noted below.

Respectfully submitted,



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